

CHAPTER 150.

LOST, STOLEN OR DESTROYED NOTE, BOND, BILL OF EXCHANGE, DRAFT, CERTIFICATE OF DEPOSIT OR OTHER EVIDENCE OF INDEBTEDNESS.

S. F. 224.

AN ACT in relation to a lost, stolen or destroyed note, bond, bill of exchange, draft, certificate of deposit or other evidence of indebtedness and prescribing how action may be brought thereon. [Additional to chapter three (3) of title fifteen (XV) of the code and to the law as it appears in chapter three-A (3-A) of title fifteen (XV) of the supplement to the code, relating to notes and bills.]

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Indemnifying bond to protect payer. That whenever a note, bond, bill of exchange, certificate of deposit, check or other evidence of indebtedness shall have been lost, stolen or destroyed, and the owner thereof desires payment to be made by the person, firm or corporation issuing the same, he shall execute and deliver if demanded to such person, firm or corporation, a good and sufficient bond agreeing to indemnify and save harmless the payer thereof.

SEC. 2. Indemnifying bond to protect defendants. When an action is brought on a lost note, bond, bill of exchange, draft, certificate of deposit, or other evidence of indebtedness, upon demand of any defendant therein, a good and sufficient bond shall be given to indemnify and save harmless the defendants in said cause.

Approved April 10, A. D. 1906,

CHAPTER 151.

ACTIONS AGAINST ESTATES OF DECEDENTS.

H. F. 12.

AN ACT relating to the time of bringing actions against estates of decedents and additions to section thirty-four hundred and forty-seven (3447) of the code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Time of bringing action. That in all cases where by the death of the party to be charged, the bringing of an action against his estate shall have been delayed beyond the period provided for by statute the time within which action may be brought against his estate, is hereby extended for six months from the date of the death of said decedent.

Approved March 10, A. D. 1906.

CHAPTER 152.

LIMITATIONS FOR THE COMMENCEMENT OF ACTIONS.

H. F. 23.

AN ACT providing limitations for the commencement of actions, relative to real property, additional to chapter two (2) title eighteen (XVIII) of the code.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Recovery of interest in real estate when spouse failed to join in conveyance. In all cases where the holder of the legal title to real estate situated within this state, prior to the first day of January, 1835, conveyed said real estate or any interest therein by deed, mortgage, or other conveyance, and the spouse failed to join therein, such spouse or the heirs at law, devisees, grantees, or assigns of such spouse shall be barred from recovery unless suit is brought therefor within one year after the taking effect of this act. But in case the right to such distributive share has not accrued by the death of the spouse, making such conveyance, then the one

not joining is hereby authorized to file in the recorder's office of the county where the land is situated, a notice with affidavit, setting forth affiant's claim together with the facts upon which such claim rests, and the residence of such claimant; and if such notice is not filed within two years from the taking effect of this act, such claim shall be forever barred. Any action contemplated in this section may include lands situated in different counties, by giving notice thereof as provided by section thirty five hundred and forty-four (3544) of the code.

SEC. 2. **Foreclosure of certain mortgages.** No action shall be maintained to foreclose any real estate mortgage which was executed prior to January 1, 1885, unless the same is brought within one year after the taking effect of this act: provided, that this section shall not apply, in case the record of such mortgage or any extension thereof, shall show that such debt is not yet more than ten years past due, which fact may be shown, within one year from the taking effect of this act, by the holder of the debt, noting on the margin of the record of such mortgage in the recorder's office, any extension of the debt secured, such notation to be witnessed by the recorder and entered upon the index of mortgages, in the name of the mortgagor and mortgagee.

Approved March 23, A. D. 1906.

CHAPTER 153.

PLACE OF BRINGING ACTIONS.

H. F. 801.

AN ACT to amend section three thousand four hundred and ninety-four (3494) as the same appears in the supplement to the code, relating to the place of bringing actions.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. **Actions on other bonds.** That the law as it appears in section three thousand four hundred and ninety four (3494) of the supplement to the code, be amended by adding the following thereto:

"5th. And actions on all other bonds provided for or authorized by law may be brought in the county in which such bond was filed and approved."

Approved March 30, A. D. 1906.

CHAPTER 154.

PUBLICATION OF ORIGINAL NOTICES IN COMMENCEMENT OF ACTIONS AGAINST UNKNOWN DEFENDANTS.

S. F. 71.

AN ACT to amend section three thousand five hundred forty (3540) of the code, in relation to the publication of original notices in commencement of actions against unknown defendants, and length of publication.

Be it enacted by the General Assembly of the State of Iowa:

SECTION. 1. **Publication of notice.** Section three thousand five hundred forty (3540) of the code is hereby amended by striking out the words "without more" in the second line thereof.

Sec. 2. **In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published at Des Moines, Iowa.

Approved February 26, A. D. 1906.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily Capital, February 28, 1906.

W. B. MARTIN,
Secretary of State.